

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**ANTONIO MCKINNEY,
ADC #145899**

PLAINTIFF

v. **Case No. 4:20-cv-01313-KGB-JTK**

R. WATSON, et al.

DEFENDANTS

ORDER

The Court has received Proposed Findings and Recommendations from United States Magistrate Judge Jerome T. Kearney (Dkt. No. 5). Plaintiff Antonio McKinney filed evidence after Judge Kearney's Proposed Findings and Recommendations were docketed; the Court construes this evidence as objections (Dkt. No. 6). After a review of the Proposed Findings and Recommendations and the timely objections received thereto, as well as a *de novo* review of the record, the Court adopts the Proposed Findings and Recommendations in their entirety. Accordingly, the Court dismisses without prejudice Mr. McKinney's complaint for failure to state a claim upon which relief may be granted. Mr. McKinney's objections do not persuade this Court to alter, modify, or reject Judge Kearney's Proposed Findings and Recommendations. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act, 28 U.S.C. § 1915(g). The Court certifies that an *in forma pauperis* appeal from an Order and Judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

It is so ordered this 2nd day of February, 2021.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE